

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

4 -----X
5 MOSHE SAPERSTEIN; RACHEL SAPERSTEIN;
6 AVI ITZHAK SAPERSTEIN; TAMAR SAPERSTEIN;
7 DAFNA SAPERSTEIN; the ESTATE of
8 AHUVA AMERGI, by and through RAFI AMERGI,
As Administrator, Executor and/or Personal
Representative, RAFI AMERGI, individually,
minor; and EFRAIM AMERGI, minor; DAN
DAVIDOVIC; JUDITH DAVIDOVIC; ELIEZER
DAVIDOVIC; ARIEL DAVIDOVIC; and
SARAH ZWEIG,

9 PLAINTIFFS,

10 -against-

Case No:
04-CV-20225

11 THE PALESTINIAN AUTHORITY; THE PALESTINE
12 LIBERATION ORGANIZATION; THE PALESTINIAN
13 PREVENTATIVE SECURITY SERVICES; THE ESTATE
14 OF YASSER ARAFAT; YASSER MAHMUD ALKATIVE;
NIZHAR D'HLIS; and NAIM MUTZTRAN,

15 DEFENDANTS.
16 -----X

DATE: April 1, 2009
TIME: 12:19 p.m.

17
18 TRANSCRIPTION OF AUDIO CD OF

19 DEPOSITION of the Defendant, THE
20 PALESTINIAN AUTHORITY, by a Witness,
21 HUSSEIN AL SHEIKH, held in Jerusalem,
22 Israel.

1 HUSSEIN AL SHEIKH
2 or fighter. Because, according to Islam,
3 Mujahed means that you can do Jihad through
4 your words and there is an internal thing
5 within your soul, the Jihad of your soul.
6 What is the Jihad of the soul? That means
7 do not commit adultery, do not steal, and
8 such things. Therefore Mujahed does not
9 necessarily mean a fighter.

10 Q. Would you agree that Mujahed
11 can mean fighter?

12 A. (Translator.) Each person can
13 interpret it as he sees fit.

14 Q. Just finish the letter, please.

15 A. (Translator.) (Reading.) My
16 brother Abu Amar, may God protect you and
17 keep you well. I grant you with the salute
18 of homeland and nation. We request from
19 you Highness to be kind and to allocate a
20 financial amount of two thousand five
21 hundred dollars to the brothers number 1,
22 Raid ed Karmi, second Ziad Machmud Daas,
23 third Omar Kahaden, and we leave this to
24 your decision, your son Hussein al Sheikh.
25 The thing that was offered Yasser Arafat,

1 HUSSEIN AL SHEIKH

2 the Finance Ministry in Ramallah, the
3 allocation of six hundred dollars would be
4 given to each person.

5 Q. Who is Raid ed Karmi?

6 A. (Translator.) Raid el Karmi is
7 a person from the Tul Karem area.

8 Q. Why did you want to allocate
9 2500 dollars to Mr. El Karmi?

10 A. (Translator.) These were the
11 recommendations of the responsible in
12 charge person of Fatah in Tul Karem area,
13 since I do not know any of these three
14 people personally. I am given
15 recommendations from the different Fatah
16 representatives in these area within my
17 capacity of the Secretary of Fatah I report
18 this to Yasser Arafat within the framework
19 of the Humanitarian Aid. And I have
20 brought thousands of humanitarian aid to
21 people.

22 Q. Who asked you or who
23 recommended to you that you request 2500
24 dollars for Mr. El Karmi?

25 A. (Translator.) If I am not

1 HUSSEIN AL SHEIKH

2 mistaken, the Secretary of the area of Tul
3 Karem. What period are we talking about?
4 2001? I cannot see the date.

5 Q. 2001.

6 A. (Translator.) I think that the
7 Secretary, maybe it was Dr. Thabet or Fayet
8 Kanaan. I am not certain who it was, but I
9 am sure one of them was the Secretary at
10 the time.

11 Q. Who is Fayed Kanaan?

12 A. (Translator.) The Secretary of
13 Tul Karem area at that time, maybe. I do
14 not recall if it was Dr. Thabet or Fayet
15 Kanaan.

16 Q. Who is Amar Kadan?

17 A. (Translator.) I do not know
18 him.

19 Q. Are you familiar with something
20 called Force 17?

21 A. (Translator.) Of course I am.

22 Q. Was Mr. Kadan connected somehow
23 to Force 17?

24 A. (Translator.) Surely.

25 Q. Briefly what is Force 17?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) It is the
3 Private Presidential Guard.

4 MR. TOLCHIN: This goes to the
5 commission, 6.

6 (Whereupon, the aforementioned
7 document was marked as Plaintiff's
8 Exhibit 6 for identification as of
9 this date by the Commissioner.)

10 Q. Sir, is this a document that
11 you have ever seen before?

12 A. (Translator.) No, of course
13 not.

14 Q. Did you review this document
15 before you came here today in preparation
16 for the deposition?

17 A. (Translator.) Yes, I saw it by
18 the lawyers.

19 Q. Take a moment to read it. Who
20 wrote this document? Who signed it?

21 A. (Translator.) According to
22 what I see, the one who signed it is Fayed
23 Kanaan.

24 Q. The same individual that we
25 spoke about a minute ago?

1 HUSSEIN AL SHEIKH

2 A. (Translator.) Yes, for sure.

3 Q. Where is Fayed Kanaan today?

4 A. (Translator.) I do not know.

5 This is a period between 2001 and 2009,

6 eight years, maybe in Tul Karem.

7 Q. Is he employed by the

8 Palestinian Authority today?

9 A. (Translator.) I do not know.

10 Q. Do you know if he's still alive

11 today?

12 A. (Translator.) Of course. If

13 he would have passed away, I would have

14 known about it.

15 Q. The diagonal writing on the

16 left, is that Mr. Arafat's writing?

17 A. (Translator.) The diagonal

18 handwriting on the left is the writing of

19 Yasser Arafat.

20 Q. There is a list of 15 names.

21 Do you recognize any of these names?

22 A. (Translator.) Not one of them.

23 Q. Are you familiar with an

24 individual named Wafa Idris?

25 A. (Translator.) I do not know